


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Ray H. Smith, Jr.,	:	
	:	
Plaintiff,	:	Civil Action 2:06-cv-568
	:	
v.	:	Judge Sargus
	:	
Terry Collins, <i>et al.</i> ,	:	Magistrate Judge Abel
	:	
Defendants.	:	

ORDER

Plaintiff Ray H. Smith, Jr., a State prisoner, brings this action under 42 U.S.C. § 1983 alleging that Defendants retaliated against him for filing a prisoner grievance. This matter is before the Court on Magistrate Judge Abel's November 15, 2006 Report and Recommendation that Plaintiff's September 11, 2006 motion for default judgment. (Doc.9) be DENIED because defendants timely responded to the complaint.

No objections have been filed to the Report and Recommendation. Upon *de novo* review as required by 28 U.S.C. § 636(b)(1)(b), the Court ADOPTS the November 15, 2006 Report and Recommendation. Plaintiff's September 11, 2006 motion for default judgment (doc.9) is DENIED.

 1-8-2007
Edmund A. Sargus, Jr.
United States District Judge